

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS AND LABOR

**Call to Order:** Chair Tom Berry, on February 20, 2015 at 8:00 AM, in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Tom Berry, Chair (R)  
Rep. Daniel R. Salomon, Vice Chair (R)  
Rep. Ryan Lynch, Vice Chair (D)  
Rep. Christy Clark (R)  
Rep. Willis Curdy (D)  
Rep. Chuck Hunter (D)  
Rep. George G. Kipp III (D)  
Rep. Mike Lang (R)  
Rep. David (Doc) Moore (R)  
Rep. Mark Noland (R)  
Rep. Andrea Olsen (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Christopher Pope (D)  
Rep. Vince Ricci (R)  
Rep. Scott Staffanson (R)  
Rep. Tom Steenberg (D)  
Rep. Jeffrey W. Welborn (R)

**Members Excused:** Rep. Steve Fitzpatrick (R)  
Rep. Tom Richmond (R)

**Members Absent:** None

**Staff Present:** Karen Armstrong, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 500, 2/17/2015; HB 531, 2/17/2015; HB 552, 2/17/2015;  
HB 554, 2/17/2015; HB 565, 2/18/2015; HB 568, 2/18/2015;  
HB 577, 2/19/2015

Executive Action: HB 306, HB 500, HB 531, HB 552, HB 554, HB 565, HB 568,  
HB 577

00:00:00 Chairman Berry

**HEARING ON HB 531**

**Opening Statement by Sponsor:**

00:01:48 Rep. Tom Jacobson (D), HD 21, opened the hearing on HB 531, Prohibit certain underwriting factors for private passenger insurance.

**Proponents' Testimony:**

00:01:59 Doug Heller, Consumer Federation of America (CFA)

00:13:47 Seth Lutter, Director of Counseling, Rural Dynamics Consumer Credit Counseling Services

00:15:46 Jesse Laslovich, State Auditor's Office (SAO)

**Opponents' Testimony:**

00:16:22 Jacqueline Lenmark, American Insurance Association (AIA), State Farm Insurance

00:20:14 Dwight Easton, Farmers Insurance Group

00:22:53 Bruce Spencer, Property Casualty Insurance Association of America (PCIAA)

**EXHIBIT(buh39a01)**

00:27:48 Bob Biskupiak, Independent Insurance Agents Association of Montana, Inc.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:28:13 Rep. Pierson

00:29:05 Doug Heller, CFA

00:29:15 Rep. Pierson

00:29:46 Jacqueline Lenmark, AIA

00:30:55 Rep. Pierson

00:31:07 Jesse Laslovich, SAO

00:31:24 Rep. Pierson

00:31:40 Jesse Laslovich, SAO

00:31:50 Rep. Hunter

00:32:21 Jesse Laslovich, SAO

00:32:28 Chairman Berry

00:32:38 Rep. Lang

00:33:09 Rep. Richmond arrived.

00:33:26 Jesse Laslovich, SAO

00:33:41 Rep. Olsen

00:34:35 Jesse Laslovich, SAO

00:35:02 Rep. Olsen

00:35:20 Jesse Laslovich, SAO

**Closing by Sponsor:**

00:35:30 Rep. Jacobson

**HEARING ON HB 577**

**Opening Statement by Sponsor:**

00:37:52 Rep. Kenneth Holmlund (R), HD 38, opened the hearing on HB 577, Revising what is an illegal gambling activity for horse and dog racing.

**Proponents' Testimony:**

00:40:18 Rick Ask, Administrator, Gambling Control Division, Department of Justice, (DOJ)

00:40:57 Tom Tucker, Executive Secretary, Montana Board of Horse Racing

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:44:54 Rep. Holmlund

**HEARING ON HB 552**

**Opening Statement by Sponsor:**

00:45:35 Rep. Seth Berglee (R), HD 58, opened the hearing on HB 552, Generally revise laws regarding licensure laws for pre-paid legal services.

**EXHIBIT**(buh39a02)

**Proponents' Testimony:**

00:48:27 Jacqueline Lenmark, LegalZoom.com, Inc.

**Opponents' Testimony:**

00:49:31 Jesse Laslovich, State Auditor's Office (SAO)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:51:44 Chairman Berry

00:52:16 Jesse Laslovich, SAO

00:52:54 Chairman Berry

00:53:07 Rep. Moore

00:53:30 Rep. Berglee

00:53:35 Rep. Pope

00:54:10 Rep. Berglee

**Closing by Sponsor:**

00:54:53 Rep. Berglee

**HEARING ON HB 554**

**Opening Statement by Sponsor:**

00:55:36 Rep. Gordon Pierson (D), HD 78, opened the hearing on HB 554, Revise securities multilevel marketing laws.

**[EXHIBIT\(buh39a03\)](#)**

**Proponents' Testimony:**

00:57:30 Jesse Laslovich, State Auditor's Office (SAO)

01:01:05 Brad Griffin, Montana Retail Association (MRA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:02:23 Rep. Pierson

**HEARING ON HB 500**

**Opening Statement by Sponsor:**

01:03:01 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 500, Revise terms for treating physician designation in workers' compensation cases.

**Proponents' Testimony:**

01:06:26 Bradley J. Jones, Montana Trial Lawyers Association (MTLA)

01:07:47 Rep. Fitzpatrick arrived.

01:15:45 Chairman Berry

01:15:54 Bruce Hoiland, Self

01:22:03 Pat Fox, Attorney, Doubek, Pyfer and Fox

01:25:02 Michael Brown, Physician, Montana Medical Association (MMA)

01:26:57 Penny Harris, Self

01:30:16 Michele Reinhart Levine, Attorney, FairClaim Workers' Comp Attorneys

**[EXHIBIT\(buh39a04\)](#)**

**[EXHIBIT\(buh39a05\)](#)**

**[EXHIBIT\(buh39a06\)](#)**

**[EXHIBIT\(buh39a07\)](#)**

01:42:45 Lonnie Olson, Montana Trial Lawyers Association (MTLA)

**[EXHIBIT\(buh39a08\)](#)**

01:49:07 Keith Allen, International Brotherhood of Electrical Workers Local 233 (IBEW)

01:49:51 J. D. Lynch, Teamsters Local #2, Montana State Building Trades

**Opponents' Testimony:**

01:50:43 Kevin Braun, Montana State Fund (MSF)

01:55:27 Jacqueline Lenmark, American Insurance Association (AIA) and Property and Casualty Insurers Association of America (PCIAA)

01:58:33 Glenn Oppel, Montana Chamber of Commerce (MCC)  
01:58:53 Allen Hulse, Chief Executive Officer, Montana Municipal Interlocal Authority

**Informational Testimony:**

02:00:54 Judy Bovington, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

02:01:22 Rep. Ricci  
02:02:08 Michael Brown, MMA  
02:03:23 Rep. Staffanson  
02:04:01 Michael Brown, MMA  
02:05:02 Rep. Fitzpatrick  
02:05:49 Rep. Olsen  
02:06:10 Michele Reinhart Levine, FairClaim Workers' Comp Attorneys  
02:08:17 Rep. Fitzpatrick  
02:08:39 Michele Reinhart Levine, FairClaim Workers' Comp Attorneys  
02:09:25 Rep. Hunter  
02:10:08 Michael Brown, MMA  
02:10:16 Rep. Hunter  
02:10:22 Michele Reinhart Levine, FairClaim Workers' Comp Attorneys  
02:11:08 Rep. Hunter  
02:11:35 Kevin Braun, MSF  
02:11:42 Rep. Hunter  
02:12:03 Kevin Braun, MSF  
02:12:18 Rep. Hunter  
02:12:43 Rep. Olsen  
02:13:13 Rep. Pope  
02:13:45 Kevin Braun, MSF  
02:14:02 Rep. Pope  
02:14:21 Kevin Braun, MSF  
02:14:52 Rep. Pope  
02:14:56 Kevin Braun, MSF  
02:15:02 Rep. Moore  
02:15:27 Kevin Braun, MSF  
02:15:50 Rep. Lynch  
02:16:08 Kevin Braun, MSF  
02:16:15 Rep. Lynch  
02:16:23 Kevin Braun, MSF

**Closing by Sponsor:**

02:16:46 Rep. Olsen  
02:18:25 Chairman Berry

02:18:37 Recessed.  
02:41:35 Reconvened.  
02:41:39 Chairman Berry

**HEARING ON HB 565**

**Opening Statement by Sponsor:**

02:41:54 Rep. Nancy Wilson (D), HD 95, opened the hearing on HB 565, Revise laws regarding shared equity properties.

**Proponents' Testimony:**

02:45:10 Jerry Petasek, Coordinator of Community Land Trust, North Missoula Community Development Corporation (NMCDC)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:48:23 Rep. Steenberg  
02:49:02 Jerry Petasek  
02:49:59 Rep. Lang  
02:50:30 Jerry Petasek, NMCDC  
02:50:45 Rep. Lang  
02:51:13 Jerry Petasek, NMCDC  
02:51:26 Rep. Lang  
02:51:33 Jerry Petasek, NMCDC

**Closing by Sponsor:**

02:52:08 Rep. Wilson

**HEARING ON HB 568**

**Opening Statement by Sponsor:**

02:52:41 Rep. Ed Lieser (D), HD 5, opened the hearing on HB 568, Provide for suicide prevention and training for primary care providers.

**[EXHIBIT\(buh39a09\)](#)**

**Proponents' Testimony:**

02:59:32 Jim Higgins, Montana National Guard Enlisted and Officers Associations  
03:06:00 Matt Kuntz, Executive Director, National Alliance for the Mentally Ill, Montana (NAMI)  
03:07:16 Aiden Myhre, Kalispell Regional Healthcare

**Opponents' Testimony:**

03:08:36 Michael Brown, Montana Medical Association (MMA)

**Informational Testimony:**

03:12:28 Karl Rosston, Suicide Prevention Coordinator, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

03:12:53 Rep. Salomon  
03:13:12 Michael Brown, MMA  
03:13:28 Rep. Salomon  
03:13:46 Aiden Myhre, Kalispell Regional Healthcare  
03:14:28 Rep. Salomon  
03:15:22 Rep. Lieser  
03:15:57 Rep. Lang  
03:16:23 Karl Rosston, DPHHS  
03:19:05 Rep. Lang  
03:20:15 Karl Rosston, DPHHS  
03:21:02 Rep. Curdy  
03:21:26 Michael Brown, MMA  
03:22:22 Rep. Curdy  
03:22:36 Michael Brown, MMA  
03:24:08 Rep. Noland  
03:24:31 Rep. Lieser  
03:25:25 Rep. Moore  
03:25:57 Karl Rosston, DPHHS

**Closing by Sponsor:**

03:26:34 Rep. Lieser  
  
03:29:04 Chairman Berry  
03:29:30 Rep. Lieser  
03:29:34 Chairman Berry  
  
03:30:00 Recessed.  
03:34:19 Reconvened with Rep. Hunter and Rep. Lynch absent.

**EXECUTIVE ACTION ON HB 306**

03:34:48 **Motion:** Rep. Clark moved that **HB 306 BE REMOVED FROM TABLE.**

**Discussion:**

03:35:04 Chairman Berry  
03:35:31 **Vote:** Motion carried 17-0 by voice vote of those present.

03:35:34 **Motion/Vote:** Rep. Salomon moved that **HB 306 BE AMENDED.** Motion carried 17-0 by voice vote of those present.

**EXHIBIT(buh39a10)**

03:35:55 **Motion/Vote:** Rep. Salomon moved that **HB 306 DO PASS AS AMENDED.** Motion carried 18-1 by voice vote with Rep. Staffanson voting no. Rep. Hunter and Rep. Lynch voted by proxy.

**EXECUTIVE ACTION ON HB 500**

03:36:20 **Motion:** Rep. Salomon moved that **HB 500 DO PASS.**

**Discussion:**

03:36:35 Rep. Olsen

03:36:57 Rep. Richmond

03:37:35 **Vote:** Motion failed 9-10 by roll call vote with Rep. Berry, Rep. Curdy, Rep. Hunter, Rep. Kipp, Rep. Lynch, Rep. Olsen, Rep. Pierson, Rep. Pope and Rep. Steenberg voting aye. Rep. Hunter and Rep. Lynch voted by proxy.

03:38:43 **Motion/Vote:** Rep. Salomon moved that **HB 500 BE TABLED.** Motion carried 17-0 by voice vote of those present.

**EXECUTIVE ACTION ON HB 531**

03:38:57 **Motion/Vote:** Rep. Salomon moved that **HB 531 DO PASS.** Motion failed 8-11 by roll call vote with Rep. Curdy, Rep. Hunter, Rep. Kipp, Rep. Lynch, Rep. Olsen, Rep. Pierson, Rep. Pope and Rep. Steenberg voting aye. Rep. Hunter and Rep. Lynch voted by proxy.

03:40:18 **Motion/Vote:** Rep. Salomon moved that **HB 531 BE TABLED.** Motion carried 17-0 by voice vote of those present.

**EXECUTIVE ACTION ON HB 552**

03:40:28 **Motion/Vote:** Rep. Salomon moved that **HB 552 DO PASS.** Motion failed 9-10 by roll call vote with Rep. Berry, Rep. Clark, Rep. Lang, Rep. D. Moore, Rep. Noland, Rep. Ricci, Rep. Richmond, Rep. Salomon and Rep. Staffanson voting aye. Rep. Hunter and Rep. Lynch voted by proxy.

03:41:57 **Motion/Vote:** Rep. Salomon moved that **HB 552 BE TABLED.** Motion carried 17-0 by voice vote of those present.

**EXECUTIVE ACTION ON HB 554**

03:42:12 **Motion:** Rep. Salomon moved that **HB 554 DO PASS.**

03:42:15 **Motion:** Rep. Pierson moved that **HB 554 BE AMENDED.**



**Discussion:**

03:42:28 Pat Murdo, Legislative Services Division

03:43:39 **Vote:** Motion carried unanimously by voice vote. Rep. Hunter and Rep. Lynch voted by proxy.

03:43:52 **Motion/Vote:** Rep. Salomon moved that **HB 554 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Hunter and Rep. Lynch voted by proxy.

**EXECUTIVE ACTION ON HB 565**

03:44:19 **Motion/Vote:** Rep. Salomon moved that **HB 565 DO PASS**. Motion carried 15-4 by voice vote with Rep. Clark, Rep. Noland, Rep. Staffanson and Rep. Welborn voting no. Rep. Hunter and Rep. Lynch voted by proxy.

**EXECUTIVE ACTION ON HB 568**

03:45:08 **Motion:** Rep. Salomon moved that **HB 568 DO PASS**.

**Discussion:**

03:45:17 Rep. Pierson

03:45:47 Rep. Curdy

03:46:30 Rep. Pope

03:46:49 Rep. Staffanson

03:47:16 Rep. Curdy

03:47:54 Chairman Berry

03:48:10 Rep. Curdy

03:48:24 Chairman Berry

03:48:30 Rep. Clark

03:49:06 Rep. Lang

03:49:55 **Vote:** Motion carried 10-9 by roll call vote with Rep. Berry, Rep. Clark, Rep. Fitzpatrick, Rep. Lang, Rep. Noland, Rep. Ricci, Rep. Richmond, Rep. Staffanson and Rep. Welborn voting no. Rep. Hunter and Rep. Lynch voted by proxy.

**EXECUTIVE ACTION ON HB 577**

03:51:21     **Motion/Vote:** Rep. Salomon moved that **HB 577 DO PASS**. Motion carried 18-1 by voice vote with Rep. Kipp voting no. Rep. Hunter and Rep. Lynch voted by proxy.

**COMMITTEE BUSINESS**

03:51:58:     The fiscal note for **HB 506** has arrived, and without objection, the bill was passed out of committee.

03:52:12     Chairman Berry

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**ADJOURNMENT**

Adjournment: 03:52:24

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT**([buh39aad.pdf](#))